

CITY OF SALINA, KANSAS
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
February 5, 2007
4:00 p.m.

The City Commission convened at 3:45 p.m. in a Study Session for a Citizens' Open Forum. The Regular Meeting of the Board of Commissioners was called to order at 4:00 p.m. in Room 107, City-County Building. A roll call was taken followed by the Pledge of Allegiance and a moment of silence.

There were present:

Mayor Donnie D. Marrs, Chairman presiding
Commissioner Deborah P. Divine
Commissioner Alan E. Jilka
Commissioner R. Abner Perney
Commissioner John K. Vanier II

comprising a quorum of the Board, also present:

Jason A. Gage, City Manager
Greg Bengtson, City Attorney
Lieu Ann Elsey, City Clerk

Absent: None

CITIZEN FORUM

None.

AWARDS - PROCLAMATIONS

(4.1) The month of February 2007 as "National Ambucs Month" in the city of Salina. Rhonda Bethe, District 5E Visibility Chairman, read the proclamation and announced upcoming events.

(4.2) The month of February 2007 as "Black History Month" in the city of Salina. Norma Wright read the proclamation and announced upcoming events.

PUBLIC HEARINGS AND ITEMS SCHEDULED FOR A CERTAIN TIME

None.

CONSENT AGENDA

(6.1) Approve the minutes of January 22, 2007.

07-7440 Moved by Commissioner Vanier, seconded by Commissioner Divine, to approve the consent agenda as presented. Aye: (5). Nay: (0). Motion carried.

DEVELOPMENT BUSINESS

(7.1) First reading Ordinance No. 07-10371 exempting certain property owned by Salina Vortex Corporation from ad valorem taxation and providing for payments in lieu of taxes.

Dean Andrew, Director of Planning and Community Development, explained the request, and the percentage of exemption. Mr. Andrew also noted that a correction would be made to Section 2 regarding the date when the exemption would apply, noting that June 5, 2005 would be changed to February 1, 2005.

07-7441 Moved by Commissioner Divine, seconded by Commissioner Jilka, to pass Ordinance No. 07-10371 on first reading. Aye: (5). Nay: (0). Motion carried.

(7.2) Application #PDD84-4, filed by Investment Properties of America, requesting an amendment of the Central Mall PDD and a change in zoning district classification from PDD (R-2.5) (Multi-Family Residential) to PDD (C-3) (Shopping Center) on a portion of Lot 1, Block 9 in the Central Mall Subdivision.

(7.2a) First reading Ordinance No. 07-10370.

Dean Andrew, Director of Planning and Community Development, explained the request and the Planning Commission's recommendation of approval subject to the condition that commercial signage on Tract A shall be limited to one pole or pylon sign up to 30 feet in height not to exceed 240 square feet in sign area.

07-7442 Moved by Commissioner Perney, seconded by Commissioner Jilka, to pass Ordinance No. 07-10370 on first reading. Aye: (5). Nay: (0). Motion carried.

ADMINISTRATION

(8.1) First reading Ordinance No. 07-10372 and 07-10373 amending the Salina Code by providing local amendments to the International Building Code and the International Residential Code.

Mike Roberts, Building Official, explained the amendments and the Building Advisory Board's recommendations.

Mr. Roberts then responded to Commissioner Divine question regarding R-3 buildings.

A discussion followed between Commissioner Perney and Mr. Roberts regarding sprinkler system requirements to parking garages. Additional discussions followed between Mr. Roberts and Mayor Marrs regarding commercial parking garages.

07-7443 Moved by Commissioner Divine, seconded by Commissioner Jilka, to pass Ordinance No. 07-10372 on first reading. Aye: (5). Nay: (0). Motion carried.

07-7444 Moved by Commissioner Divine, seconded by Commissioner Vanier, to pass Ordinance No. 07-10373 on first reading. Aye: (5). Nay: (0). Motion carried.

(8.2) Resolution No. 07-6354 providing for fee and policy changes for the Neighborhood Centers.

Steve Snyder, Director of Parks and Recreation, explained the current policy and amendments to the policy and the Parks and Recreation Advisory Board's recommendation. Mr. Snyder responded to Commissioner Divine's question regarding the proposed fees.

07-7445 Moved by Commissioner Jilka, seconded by Commissioner Perney, to adopt Resolution No. 07-6354. Aye: (5). Nay: (0). Motion carried.

(8.3) Resolution No. 07-6335 adopting the *City of Salina Community Art and Design Policy*.

John Highkin, Arts and Humanities Director, explained the Community Art & Design Program and Policy that was adopted by the City Commission in 2000 and the proposed policy.

Gail Goldman (public art advisor) summarized the policy.

Mr. Highkin continued to explain the policy's conformance with the city's strategic plan.

A discussion followed between Commissioner Divine, Ms. Goldman, City Manager Jason Gage regarding the pre-qualified artist directory, funds being excluded, and community education and awareness.

A discussion followed between Mayor Marrs, and Mr. Highkin regarding the committee appointments. Mayor Marrs noted that he felt the appointments should be done the same as other city citizen board appointments.

Commissioner Jilka and Commissioner Vanier supported Mayor Marrs.

Commissioner Jilka commented on the need for a broad base group of citizen input. Mr. Highkin noted Section 12 of the policy.

Mr. Highkin and Ms. Goldman explained the organization of the committees and the roles of the committees.

Commissioner Vanier expressed concerns of the amount of time that would be required to complete a project. Mr. Highkin explained the nomination process that could be used to expedite the process.

Mr. Gage expressed the importance of keeping up with design and construction process of the projects.

Mayor Marrs felt that it was important to incorporate the art component of projects from the beginning.

Mr. Highkin and Mr. Gage then responded to Commissioner Perney's question regarding the art design advisory committee and whether or not the policy would affect 2007 C.I.P. projects.

Commissioner Jilka expressed that the advisory committee should be appointed by the City Commission.

Mr. Highkin and Mr. Gage outlined the proposed terms for the committee members.

Mr. Highkin and Ms. Goldman responded to Commissioner Divine's question on how the advisory committee would interact with the Arts and Humanities Commission.

Mayor Marrs commented on the use of public input.

A discussion followed between Commissioner Vanier, Mr. Gage, Mr. Highkin, and Ms. Goldman regarding the definition of an artist and the Water Plant public art project.

Mr. Gage expressed the importance of determining the concept and the cost of the art for the projects.

Commissioner Divine expressed the importance of communication within this process. She felt that the art component needs to be included as early as possible within the process, so everyone involved can work together.

Mayor Marrs felt that design professionals should not be excluded.

Martha Rhea, 1900 Springer Court, expressed her support of the policy.

Peggy DeBey, Arts and Humanities Commissioner, expressed the importance of communication and the use of public input.

Commissioner Jilka requested that Section 13(B)(1) read "It is the responsibility of the related city department," to remove the SAHC Director from Section 10(D)(2), and in Section 9(D) that the advisory board be appointed by the City Commission.

Commissioner Perny felt that the policy needed to incorporate the number of committee members and specify the appointment terms. Also to require an Expression of Interest form be filled out and the appointments approved by the City Commission.

Commissioner Divine requested that Section (4)(C) be clarified, add art awareness and CAD project awareness to Section 6(D). Commissioner Divine noted that she did not have a problem with Arts and Humanities Director coordinating with the City Manager as noted by Commissioner Jilka.

Mayor Marrs requested that the last sentence be removed from the definition of an artist.

A discussion followed between Mayor Marrs, Mr. Highkin, and Ms. Goldman regarding

the use of a project architect.

Commissioner Divine commented that up to this point we have not included aesthetic improvements in the request for proposals for projects and the policy would incorporate the aesthetics be included.

Mayor Marrs requested that Section 11(A)(1) be clarified in regards to management of the contracts and also in Section 11(A)(2) City Manager and City Commission be removed.

Commissioner Jilka thanked Ms. Goldman for her presentation.

07-7446 Moved by Commissioner Divine, seconded by Commissioner Jilka, to postpone Resolution No. 07-6335 until February 12, 2007. Aye: (5). Nay: (0). Motion carried.

(8.4) Award of contract for the North Ohio Additional Aesthetics, Project No. 00-1248.

Karlton Place, City Engineer, explained the project, bids received, and project funding.

Mr. Place also responded the Mayor Marrs question regarding the company.

Jason Gage, City Manager, noted that the City Commission will be discussing the ponds within the project at a later date.

Commissioner Jilka requested Mr. Place outline what was covered in this contract. Mr. Place responded.

07-7447 Moved by Commissioner Divine, seconded by Commissioner Perney, to award the contract for the North Ohio Additional Aesthetics, Project No. 00-1248 to RFB Construction Company, Inc., in the amount of \$257,178. Aye: (4). Nay: (1) Marrs. Motion carried.

(8.5) Approve the 2007 Vehicles and Equipment Plan purchases.

Rodney Franz, Director of Finance and Administration, explained the purchases and funding.

07-7448 Moved by Commissioner Jilka, seconded by Commissioner Vanier, to approve the 2007 Vehicles and Equipment Plan purchase. Aye: (5). Nay: (0). Motion carried.

OTHER BUSINESS

Mayor Marrs commented on the recent trip to Washington D.C. where Jason Gage, City Manager, Dennis Lauver, Chamber of Commerce Director, Rob Winter, U.S.D. 305 Superintendent, and Dennis Kuhlman, Dean of Kansas State University Salina and himself spoke to the State of Kansas Senators and Representatives regarding various issues and served as lobbyist for the State of Kansas.

07-7449 Moved by Commissioner Jilka, seconded by Commissioner Divine, to recess into

executive session for 30 minutes to discuss with the City Attorney matters subject to the attorney-client privilege for the reason that public discussion of the matters would waive that privilege and adversely affect the City's interests in the matters; and reconvene at 6:13 p.m. Aye: (5). Nay: (0). Motion carried.

The City Commission recessed into executive session at 5:43 p.m. and reconvened at 6:13 p.m.

07-7450 Moved by Commissioner Jilka, seconded by Commissioner Divine, to return to the current executive session for an additional 10 minutes. Aye: (5). Nay: (0). Motion carried.

The City Commission recessed into executive session at 6:13 and reconvened at 6:37 p.m.

ADJOURNMENT

07-7451 Moved by Commissioner Jilka, seconded by Commissioner Divine, that the Regular Meeting of the Board of Commissioners be adjourned. Aye: (5). Nay: (0). Motion carried. The meeting adjourned at 6:37 p.m.

Donnie D. Marrs, Mayor

[SEAL]
ATTEST:

Lieu Ann Elsey, CMC, City Clerk